

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

IN THE MATTER OF:

Beg Investments, LLC t/a	
Twelve Restaurant & Lounge	Show
1123 H Street, NE	Cause
Retailer CT - ANC-6A	Hearing
License No. 76366	(Status)
Case #14-251-00087	

(Interfered with an  
Investigation)

June 18, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
MIKE SILVERSTEIN, Member

ALSO PRESENT:

AMY SCHMIDT, OAG

P-R-O-C-E-E-D-I-N-G-S

(9:53 a.m.)

CHAIRPERSON MILLER: Okay. I will call Twelve, which is the next case, that is Case No. 14-251-00087, Twelve Restaurant & Lounge located at 1123 H Street, N.E., 76366, in ANC-6A. And this is a Show Cause (Status) Hearing.

MS. SCHMIDT: Good morning, Amy Schmidt, Assistant Attorney General on behalf of the District of Columbia.

CHAIRPERSON MILLER: Good morning.

MR. LeFANDE: Matthew Lefande, a member of the District of Columbia Bar for an on behalf of Beg Investments, LLC, the owner of the establishment operating as Twelve Restaurant & Lounge. And with me today is Bernard Gibson, the owner of Beg Investments, LLC.

CHAIRPERSON MILLER: Okay. Good morning. And, Mr. LeFande, did your client receive notice of this hearing?

1 MR. LeFANDE: We're here.

2 CHAIRPERSON MILLER: Okay. Did he  
3 read it and understand it? But there is no  
4 issue with notice?

5 MR. LeFANDE: We don't have any  
6 issue with notice. I'm usually pretty good  
7 about bringing up issues.

8 CHAIRPERSON MILLER: That's right.  
9 I know. Okay. Good. All right.

10 Are there any preliminary matters  
11 in this case?

12 MS. SCHMIDT: No, there are not.

13 CHAIRPERSON MILLER: Okay. Then  
14 I'm going to go forward then and schedule this  
15 case for a Show Cause Hearing for August 13,  
16 2014 at 11:00.

17 MR. LeFANDE: If I may, Madam  
18 Chair? My co-counsel is leaving the country  
19 on July 26th. Is there any chance we can get  
20 it in before then?

21 MS. SCHMIDT: I believe this is  
22 set for September when I looked.

1 CHAIRPERSON MILLER: You believe  
2 this is set for September? My notes say  
3 August 13.

4 MR. LeFANDE: Yes, I --

5 MS. SCHMIDT: I thought it was  
6 September 10th.

7 MR. LeFANDE: -- that's a bad date  
8 for us. If we could move it forward, that  
9 would be very helpful.

10 MS. SCHMIDT: It says September  
11 10th.

12 CHAIRPERSON MILLER: September  
13 10th?

14 MS. SCHMIDT: Yes.

15 CHAIRPERSON MILLER: Okay. What  
16 time?

17 MS. SCHMIDT: 11:00.

18 CHAIRPERSON MILLER: Okay. So  
19 there is an error in my notes. Apparently it  
20 is set for September 10, 2014 at 11:00. Is  
21 that what you have, Ms. Schmidt?

22 MS. SCHMIDT: That's fine.

1 MR. LeFANDE: Again, we would ask  
2 that this be heard before then, certainly  
3 before August. I'm sorry, before July 26th.

4 CHAIRPERSON MILLER: And why is  
5 that?

6 MR. LeFANDE: Well, he would like  
7 this matter heard as soon as possible, because  
8 it is gravely prejudicial to my client's  
9 operation.

10 CHAIRPERSON MILLER: Okay. So it  
11 doesn't have anything to do with Mr. Mpras?

12 MR. LeFANDE: Well, I said he  
13 leaves on July 26th and I would like it to be  
14 heard before then.

15 CHAIRPERSON MILLER: No, I  
16 understand that, but you're not saying that he  
17 is not available?

18 MR. LeFANDE: Oh, no, no, no.  
19 There is not the same conflict.

20 CHAIRPERSON MILLER: Okay. You  
21 would like it before July 26th because you  
22 just want it as soon as possible.

1                   MR. LeFANDE: Again, we assert  
2                   this is gravely prejudicial to our client's  
3                   existence as far as business is concerned and  
4                   want this heard as soon as possible. There is  
5                   simply no merit to the allegations and they  
6                   need to be disposed of as quickly as possible.

7                   CHAIRPERSON MILLER: Ms. Schmidt,  
8                   did you want to respond to that?

9                   MS. SCHMIDT: We have no objection  
10                  to that.

11                  CHAIRPERSON MILLER: Okay. I  
12                  don't know what the calendar is, so we will  
13                  just take that request under advisement then.

14                  MR. LeFANDE: Yes, please, if you  
15                  would. Thank you. Otherwise, I mean, if we  
16                  have to, I don't have a particular conflict  
17                  with September 10th, at this time.

18                  CHAIRPERSON MILLER: Right, okay.  
19                  Otherwise, you want it by July 26th is the  
20                  request?

21                  MR. LeFANDE: For the reasons  
22                  already stated.

1 CHAIRPERSON MILLER: Correct. For  
2 the reasons you put on the record. Okay.  
3 Thank you very much.

4 MR. LeFANDE: What would be the  
5 time on that?

6 CHAIRPERSON MILLER: 11:00.

7 MR. LeFANDE: Thank you. I have  
8 no further business before the Board. May we  
9 be excused?

10 CHAIRPERSON MILLER: Yes,  
11 absolutely. Have a good day.

12 MEMBER ALBERTI: May I ask Ms.  
13 Schmidt?

14 CHAIRPERSON MILLER: Oh, I'm  
15 sorry, Mr. Alberti has a question.

16 MEMBER ALBERTI: May I ask, Ms.  
17 Schmidt, just in all fairness to you, how much  
18 time do you need prior to the hearing? I  
19 mean, you were planning for September. How  
20 much time do you need to prepare and make sure  
21 that you are ready for this hearing if it  
22 happens before July 26th?

1 MS. SCHMIDT: Well, since a lot of  
2 the allegations I was prepared to go forward  
3 on beforehand during the Summary Suspension  
4 portion, it wouldn't take me as long to  
5 prepare for this hearing.

6 So any time, you know, July 9th or  
7 16th would be fine, as long as the officers  
8 are available.

9 MEMBER ALBERTI: You could be  
10 ready by then?

11 MS. SCHMIDT: Yes.

12 MEMBER ALBERTI: But how much  
13 time? How much advance notice do you need to  
14 get everybody here, that's what I'm asking?  
15 Do you need one week, two weeks? I mean, you  
16 tell me what it takes you to get -- make sure  
17 your case is here and you have everyone here.  
18 That's what I'm asking. I'm trying to be fair  
19 to you.

20 MS. SCHMIDT: Oh, I know. I  
21 understand. I appreciate it, but I think, in  
22 this case, if we can -- the officer, if I know

1 in the next few days, I think it shouldn't be  
2 a problem.

3 MEMBER ALBERTI: So you only need  
4 one weeks notice?

5 MS. SCHMIDT: One or two weeks.  
6 Well, yes.

7 MEMBER ALBERTI: Is it one or two  
8 weeks? We need to schedule. We need to know  
9 when we --

10 MS. SCHMIDT: I understand.

11 MEMBER ALBERTI: -- need to tell  
12 you. So and I want to be fair to everybody.

13 MS. SCHMIDT: One weeks notice of  
14 the new date.

15 MEMBER ALBERTI: All right. Fine.

16 MS. SCHMIDT: In other words --

17 MEMBER ALBERTI: Great.

18 MS. SCHMIDT: -- it can't be next  
19 week.

20 CHAIRPERSON MILLER: Right.

21 MEMBER ALBERTI: That's it. I'm  
22 just trying to be fair. Thank you.

1 MS. SCHMIDT: Thank you.

2 MR. LeFANDE: Thank you.

3 CHAIRPERSON MILLER: Thank you  
4 very much. All right.

5 (Whereupon, the Show Cause  
6 (Status) Hearing in the above-entitled matter  
7 was concluded at 9:58 a.m.)  
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<p><b>A</b></p> <p>a.m 2:2 10:7  <b>above-entitled</b> 10:6  <b>absolutely</b> 7:11  <b>advance</b> 8:13  <b>advisement</b> 6:13  <b>Alberti</b> 1:17 7:12  7:15,16 8:9,12 9:3  9:7,11,15,17,21  <b>Alcoholic</b> 1:2,12,12  <b>allegations</b> 6:5 8:2  <b>Amy</b> 1:20 2:9  <b>ANC-6A</b> 1:7 2:7  <b>Apparently</b> 4:19  <b>appreciate</b> 8:21  <b>asking</b> 8:14,18  <b>assert</b> 6:1  <b>Assistant</b> 2:10  <b>Attorney</b> 2:10  <b>August</b> 3:15 4:3 5:3  <b>available</b> 5:17 8:8</p>	<p>3:8,13 4:1,12,15  4:18 5:4,10,15,20  6:7,11,18 7:1,6,10  7:14 9:20 10:3  <b>chance</b> 3:19  <b>client</b> 2:21  <b>client's</b> 5:8 6:2  <b>co-counsel</b> 3:18  <b>Columbia</b> 1:1 2:11  2:14  <b>concerned</b> 6:3  <b>concluded</b> 10:7  <b>conflict</b> 5:19 6:16  <b>Control</b> 1:2,12,12  <b>Correct</b> 7:1  <b>country</b> 3:18  <b>CT</b> 1:7</p>	<p><b>going</b> 3:14  <b>good</b> 2:9,12,20 3:6  3:9 7:11  <b>gravely</b> 5:8 6:2  <b>Great</b> 9:17</p>	<p><b>M</b></p> <p><b>Madam</b> 3:17  <b>matter</b> 1:4 5:7 10:6  <b>matters</b> 3:10  <b>Matthew</b> 2:13  <b>mean</b> 6:15 7:19  8:15  <b>MEETING</b> 1:3  <b>member</b> 1:17,17,18  2:14 7:12,16 8:9  8:12 9:3,7,11,15  9:17,21  <b>merit</b> 6:5  <b>met</b> 1:12  <b>MIKE</b> 1:18  <b>Miller</b> 1:14,16 2:3  2:12,20 3:2,8,13  4:1,12,15,18 5:4  5:10,15,20 6:7,11  6:18 7:1,6,10,14  9:20 10:3  <b>morning</b> 2:9,12,21  <b>move</b> 4:8  <b>Mpras</b> 5:11</p>	<p><b>operation</b> 5:9  <b>owner</b> 2:15,18</p>
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